



**BEFORE THE STATE COMMISSION  
ON JUDICIAL CONDUCT**

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**CJC No. 14-0929-CO**

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**PUBLIC WARNING  
AND  
ORDER OF ADDITIONAL EDUCATION**

**HONORABLE SKEET LEE JONES  
COUNTY COURT JUDGE  
MENTONE, LOVING COUNTY, TEXAS**

During its meeting on February 10 – 12, 2016, the State Commission on Judicial Conduct concluded a review of allegations against the Honorable Skeet Lee Jones, County Judge in Mentone, Loving County, Texas. Judge Jones was advised by letter of the Commission’s concerns and provided written responses. Judge Jones appeared with counsel before the Commission on February 11, 2016, and gave testimony. After considering the evidence before it, the Commission entered the following Findings and Conclusion:

**FINDINGS OF FACT**

1. At all times relevant hereto, the Honorable Skeet Lee Jones was County Judge in Mentone, Loving County, Texas.
2. According to an April 10, 2014 media story entitled, “Tricky Ticketing Brings County’s Ethics into Question,” Loving County offered a “one-time” deal to first time speeding offenders by changing their speeding citation to an illegal parking violation.
3. The article went on to describe that since the practice went into effect in 2009, at least 90 citations had been changed, but that some of the citations that were changed were for charges other than speeding.
4. According to the reporter, Judge Jones explained that the deal was intended to help professional drivers (those who hold Commercial Driver’s Licenses) who depend on a clean driving record for their livelihood and that the “one-time” deal was “a wake-up call for them to know they can’t be doing that anymore.”

5. In a follow-up story, the reporter described the procedure as follows:  
 “Here’s how it works: you get pulled over for speeding and appeal the charge in municipal court,<sup>1</sup> you then go to the county court and plead guilty to a lesser charge but pay a bigger fine and keep a clean driving record.”
6. The same media report indicated that several citations for charges other than speeding were changed to parking violations, including possession of marijuana cases, driving while intoxicated cases, and an assault causing bodily injury case.
7. According to the media report, Judge Jones stated:  
 “The judicial conduct committee told me that I needed to talk to my county attorney and tell him we should stop. So I did and he agreed but he said we’re going to keep on anyways.”
8. Judge Jones acknowledged talking to the reporter who published the media stories; however, in his written responses the judge explained,  
 “The statements which are attributed to me are entirely false. I was asked why the County’s Special Prosecutor did certain things. My response was to state what he had told me not as indicated in the report, what I said or what my position or preference was.”
9. Judge Jones added that his comments regarding the Commission were likewise misattributed:  
 “I was told by the commission that the Special Prosecutor ‘probably ought to stop’ and that I needed to talk to him about it. I was never told that anything I had done as a Judge was inappropriate nor was I directed or ordered to speak with the Special Prosecutor.”
10. According to a review of court documents provided to the Commission, in several cases, Special Prosecutor Harrison filed single-page motions making the following request to Judge Jones:  
 “COMES NOW, RODDY HARRISON, Special Prosecutor, and files this, his Motion to Dismiss the Speeding Ticket case pending against Defendant, \_\_\_\_\_, and to change the Speeding Ticket Charge to that of illegal parking.”
11. In some cases, Harrison’s motion requested that other violations such as “Driving w/License Suspended,” “Driving with Invalid License,” “No Seat Belt,” “No Liability Insurance,” and “Assault Causing Bodily Injury” be dismissed and changed to “Illegal Parking” violations.
12. More specifically, in Cause No. 13-12-229, styled *State of Texas vs. Rey Oliveros*, Special Prosecutor Roddy Harrison filed a document entitled, “Motion to Dismiss Assault Causes Bodily Injury Charge Change Charge to Illegal Parking.” Judge Jones granted the motion, thereby dismissing the assault causing bodily injury charge and finding the defendant guilty of “illegal parking.”
13. In Cause No. 13-02-193, styled *State of Texas v. Louis Carrasco*, in a single order Judge Jones dismissed a “Driving while License Suspended” case against the defendant, found him guilty of “illegal parking,” and assessed a fine of \$1,000.
14. In Cause No. 12-12-181, styled *State of Texas v. Miguel Angel Marquez*, in a single order Judge Jones dismissed a “Fail to Yield Right of Way to Emergency Vehicle” case, found the defendant guilty of “illegal parking,” and assessed a fine of \$750.
15. In Cause No. 10-9-149, styled *State of Texas v. Clint Martin*, in a single order Judge Jones dismissed a “Possession of Marijuana” case, found the defendant guilty of “illegal parking,” and assessed a fine of \$600.

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<sup>1</sup> There are no municipal courts in Loving County; instead, Loving County has one countywide justice of the peace court from which convictions for Class C misdemeanor offenses may be appealed to the County Court.

16. In Cause No. 14-02-237, styled *State of Texas vs. Alford Douglas Gordon*, in a single order Judge Jones dismissed a “Fail to Drive in a Single Lane” case, found the defendant guilty of “illegal parking,” and assessed a fine of \$750.
17. In Cause No. 11-02-155, styled *State of Texas vs. Juan Garza*, in a single order Judge Jones dismissed a “Speeding” case, found the defendant guilty of “illegal parking,” and assessed a fine of \$600.
18. In Cause No. 14-01-231, styled *State of Texas vs. Villa Gomez*, in a single order Judge Jones dismissed a “Speeding” case, found the defendant guilty of “illegal parking,” and assessed a fine of \$750.
19. In Cause No. 13-08-218, styled *State of Texas vs. Luis R. Meraz-Dominguez*, in a single order Judge Jones dismissed a “Speeding” case, found the defendant guilty of “illegal parking,” and assessed a fine of \$750.
20. None of the records presented to the Commission concerning the “illegal parking” charges filed by Harrison were supported by probable cause as required by law, nor did the motion to dismiss itself contain sufficient detail of the offense to meet the minimum requirements for a lawful information.<sup>2</sup>
21. In addition, many of the judgments issued by Judge Jones in the above-described cases stated that the defendants were charged with “Illegal Parking of a vehicle,” and that the defendants were found guilty of “Illegal Parking of a motor vehicle” after the court had “called said case for hearing and trial and after having heard argument of counsel and the plea of guilty by the defendant...”
22. Although the maximum fine for a Class C misdemeanor is \$500,<sup>3</sup> and the maximum fine for nearly all parking infractions under the Texas Transportation Code is \$200,<sup>4</sup> as indicated above, Judge Jones issued judgments that assessed fines for “illegal parking” violations well above the maximum fine amounts allowed by law.
23. Judge Jones denied any involvement in, or knowledge of the content of, any plea negotiations that were discussed between Harrison and the defendants. According to the judge, he simply approved all plea agreements presented to him.<sup>5</sup>
24. Judge Jones also stated that he believed he had the legal authority to assess fines in excess of the maximum amounts allowed by statute because the defendants had agreed to pay the higher amounts.
25. Judge Jones testified that he was informed during continuing judicial education programs sponsored by the Texas Association of Counties that it was not improper for a defendant to pay a fine greater than the maximum amount set forth by law.

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<sup>2</sup> The legal requisites for charging an individual with a misdemeanor offense by information are contained in Article 21.20-21.23 of the Texas Code of Criminal Procedure. Additionally, there are more than 30 types of parking violations described in Chapters 545 and 547 of the Texas Transportation Code, none of which are identified in the Special Prosecutor’s motions to dismiss.

<sup>3</sup> Section 12.23, Texas Penal Code.

<sup>4</sup> Section 542.401, Texas Transportation Code.

<sup>5</sup> Judge Jones testified that he could recall one instance when he did not accept the plea agreement as presented to him by Harrison. In that case, involving damage to county property, he added a condition that the defendant pay restitution to the county.

26. Judge Jones further explained that as a non-lawyer judge, he relied on the advice of the Special Prosecutor that the pleas and fines were lawful.
27. Without conceding that the prior practice was illegal, Judge Jones represented that the plea practice described above no longer takes place in the Loving County Court.

**RELEVANT STANDARDS**

1. Canon 2A of the Texas Code of Judicial Conduct states, in pertinent part: “A judge shall comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.”
2. Canon 3B(2) of the Texas Code of Judicial Conduct states, in pertinent part: “A judge should be faithful to the law and shall maintain professional competence in it.”
3. Article V, §1-a(6)A of the Texas Constitution provides that a judge may be disciplined for willful or persistent conduct that is clearly inconsistent with the proper performance of his duties or casts public discredit on the judiciary or on the administration of justice.

**CONCLUSION**

The Commission concludes based on the facts and evidence before it that Judge Jones failed to comply with the law and/or failed to maintain professional competence in the law by (a) entering judgments finding defendants guilty of “Illegal Parking” violations that were not supported by a proper complaint or probable cause, and (b) imposing fines for these “Illegal Parking” offenses in excess of amounts allowed by law. The Commission finds that the judge’s rulings in these cases did not constitute mere “legal error” because concerns about the Special Prosecutor’s plea practice had already been brought to the judge’s attention; however, Judge Jones chose not to review Harrison’s plea paperwork to ensure that the pleas and fines were in compliance with the law. Instead, Judge Jones relied on the advice of Harrison, a party to the proceedings, and in the process, abdicated judicial independence and judicial discretion in his decision to accept the pleas proffered to the court. The Commission concludes that Judge Jones’ acceptance of Harrison’s assurances that the pleas and fines were legal was inconsistent with the proper performance of his judicial duties and constituted willful and/or persistent violations of Canons 2A and 3B(2) of the Texas Code of Judicial Conduct, and Article V, §1-a(6)A of the Texas Constitution.

As a mitigating factor in reaching its decision as to the appropriate sanction in this case, the Commission took into account and accepted Judge Jones’ assurance that neither he nor the newly hired special prosecutor would engage in the plea bargain practice described above.

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In condemnation of the conduct described above that violated Canons 2A and 3B(2) of the Texas Code of Judicial Conduct, and Article V, §1-a(6)A of the Texas Constitution, it is the Commission’s decision to issue a **PUBLIC WARNING AND ORDER OF ADDITIONAL EDUCATION** to the Honorable Skeet Lee Jones, County Judge, Mentone, Loving County, Texas.

Pursuant to this Order, Judge Jones must obtain **ten (10) hours** of instruction with a mentor, which instruction may include up to 6 hours of approved online courses or self-study, in addition to his required judicial education for Fiscal Year 2016. The selection of the mentor, as well as any online courses or self-study, shall be approved by the Commission.

In particular, the Commission desires that Judge Jones receive this additional education in the following areas: (1) a judge's duty not to accept all plea bargains, and to reject a plea bargain that does not comply with the law; (2) what constitutes a proper complaint or charging instrument from which a judgment of conviction may issue; and (3) maintaining judicial independence, impartiality, and integrity by understanding the proper roles of judge and prosecutor. Judge Jones shall complete the additional **ten (10) hours** of instruction recited within **ninety (90) days** from the date of written notification of the assignment of a mentor. It is Judge Jones's responsibility to contact the assigned mentor and schedule the additional education.

Upon the completion of the **ten (10) hours** of education described herein, Judge Jones shall sign and return the Respondent Judge Survey indicating compliance with this Order. Failure to complete, or report the completion of, the required additional education in a timely manner may result in further Commission action.

Pursuant to the authority contained in Article V, §1-a(8) of the Texas Constitution, it is ordered that the actions described above be made the subject of a **PUBLIC WARNING AND ORDER OF ADDITIONAL EDUCATION** by the Commission.

The Commission has taken this action in a continuing effort to protect the public confidence in the judicial system and to assist the state's judiciary in its efforts to embody the principles and values set forth in the Texas Constitution and the Texas Code of Judicial Conduct.

Issued this the 29<sup>th</sup> day of February, 2016.

ORIGINAL SIGNED BY

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Honorable Valerie E. Ertz, Chair  
State Commission on Judicial Conduct